

February 2022

Officer Response: Call-in 1 – Fox Lane QN

Reasons for the “Call in”

KD 5403 is being called in on the basis of there being a lack of any robust evidential basis to support the decision, nor the statement, as outlined in point 2 of the decision statement, which says, *“Taking into account the various matters set out in this report, it is considered the factors in favour of making the experimental traffic orders permanent outweigh the dis-benefits and/or disadvantages of removing the trial.”*

The arguments for the call-in are in summary as follow:

- The assumptions made and models used are not presented in the report
- Inadequate quality control measures have been used.
- Concerns about the survey methodology
- Combining respondents from within QN with boundary road
- Misleading statements about car ownership and systematic bias in reporting
- Issues with the Equality Impact Assessment (EqiA)
- Issues with Traffic Monitoring data
- Issues with Bus data
- The report fails to provide evidence that shows how it will mitigate the key objectives of Council’s Corporate Plan.

These arguments are detailed below:

Reason for call-in
<p>The assumptions made and models used are not presented in the report: The comprehensive list of factors referred to in the decision statement have not been defined. There is a lack of any evidenced-based assumptions, or provision of the models used to independently verify the statements contained within the report, which therefore fails to provide measurable criteria for reaching the conclusions that have been presented. Instead, the report relies upon opinions, hopes and wishful thinking of a change in behaviour.</p> <p>For example, item 2 under the section ‘Reasons for Proposal’ it states, <i>“With transport accounting for 39% of the Borough emissions, it is essential that this sector plays a key role in moving towards the goal of being a carbon neutral Borough by 2040.”</i> However, the Fox Lane Low Traffic Neighbourhood (LTN) objectives are specifically limited to the area directly within the scheme. The precise contribution of the scheme to creating any overall reduction in borough-wide emissions has not been evidenced, i.e. specified, estimated, or measured.</p> <p>The scheme therefore fails to model or measure the changes to overall ‘traffic minutes’ resulting from the introduction of the LTN that can theoretically have a significant bearing on emission levels.</p>
Officer response
<p>The report takes a broad range of factors that were set out in the monitoring plan and provides an assessment of impact against these. ‘Traffic Minutes’ does not form part of the published monitoring plan. The report also sets out in detail the policy context</p>

and how this project aligns with local, London and national policy direction. The impacts of this specific project are considered against this policy context. In reaching recommendations judgement is applied in balancing the range of impacts over both the shorter and longer-term. These judgements are then open to further consideration by the decision maker as they form their own conclusions. The precise impact of this scheme on reducing Borough emissions is not provided. It is not known. As set out in the Enfield Healthy Streets Framework, approved by Cabinet, there is no singular intervention which will deliver the mode shift required to reduce the high dependency on private car use. The Healthy Streets programme adopts a comprehensive approach to enabling longer-term behaviour change. The report concludes that within a context where action is required, the monitoring of the trial does not suggest that it should be removed. The report proposes a number of aspects that should be explored to enhance the scheme and commits to ongoing monitoring to determine change over time.

Reason for call-in

Inadequate quality control measures have been used:

- A lack of adequate quality control measures have been used to limit the impact of 'gaming' e.g. the same respondent(s) completing the consultation survey multiple times using different email addresses.
- The absence of quality controls casts considerable doubt over the validity of the consultation responses as the views of a small number of motivated individuals could be having a significant impact on the findings.
- The Council has previously, rejected consultation responses (e.g. for planning applications) and petitions (e.g. for weekly bin collections) if a full name and address has not been provided. There is a sound basis for this approach, as it reduces 'gaming' and helps to ensure that the people who respond are who they say they are, and live where they say they live and are not responding multiple times. This consultation has not met this standard, and people have been allowed to respond and have their responses included in the reported data without providing this basic level of quality control information. The consultation responses are therefore unsound.

Officer response

The consultation has been managed using third party consultation software that is also used by other Local Authorities and by Transport for London. As outlined in the report, the key objective of the consultation is to understand the range of issues that are been raised so that these can be properly considered. The Council should only request the level of information necessary to achieve this aim and demanding respondents to provide individual names was not considered necessary. Indeed, Officers have received complaints from residents previously that Healthy Streets consultations requires respondents to provide too much personal information. Officers are of the view that the right balance has been reached in this case.

Reason for call-in

Concerns over the survey methodology.

Repeat responses to survey

- Residents were allowed to respond to the consultation survey more than once, to allow residents to express changes in their views over the duration of the experiment. A total of 653 people responded more than once. However, only their first response has been used in the analysis. This is a flawed approach. The response used should have been the final response submitted, not the first. Officers say they have used the first responses as they were not significantly different from the later responses. However no evidence has been provided to back up this claim and it would seem surprising for residents to update their view of the scheme if it had not changed. The consultation analysis is therefore unsafe as it does not report the most recent view of more than 205 of the sample.

Unquantified email responses

- A large number of emails were received from 1,689 unique email addresses up to and including 11th July 2021.
- Some people sent more than one email over the course of the experiment but again only their first response was included. As stated above, this is a flawed approach as the last response should have been used.
- None of these email responses have been quantified at even a basic level (e.g. % support, % oppose, % mixed/neutral, % unclear). Apparently, this was not done at the request of the Council. This means that responses and opinions are not being properly captured and communicated in the findings. At the very least, we need to know how many of these emails were in support or opposition of the scheme.

Responses after 12th July 2021 not quantified

- Between 12 July 2021 and 11 January 2022, 15 letters were received, and 1,315 emails received from 1,143 unique email addresses. None of these responses have been quantified (e.g. % support / oppose) and are therefore not included in the statistical reporting (i.e. the charts). Missing such a large number of consultation responses from the key data reporting is a cause for significant concern and casts doubt over the validity of the statistical evidence and the consultation process.
- In fact, the number of unique emails received across the entire consultation outweighs the number of survey responses, yet the email responses have not been quantified, which casts considerable doubt over the validity of the consultation reporting.

Analysis of consultation responses received after 12 July 2021

- Demographic and postcode information was not collected for the 1,158 unique responses received after 12 July 2021. This means that it is not possible to assess their responses based on where they live (e.g. within the QN, boundary

or wider area) or whether they may or may not be from a protected characteristic. Unfortunately, these issues render the consultation feedback received from 12 July onwards meaningless in analysis terms, and the consultation has not been properly administered.

The consultation analysis is therefore unsafe.

Combining respondents from within QN with boundary road

- In the report the responses of people living on boundary roads have been combined with those living within the QN. These two groups could, and indeed are likely to have, very different opinions and experiences of the scheme, so their feedback should have been reported separately, as is the case with the traffic monitoring analysis. As it stands, we do not have a clear understanding of the opinion of those who live within the scheme or those who live on the boundary. This in turn has impacted the validity of the EqIA as this relies on analysis of the consultation data.
- This also increases the number of responses that are claimed to come from 'within the QN', which is reported as 12% of people living there. The actual number is likely to be far lower once boundary roads are removed. It is likely that over 90% of people living within the QN did not respond to the consultation.
- The weight of opinion has been given to the responses within the QN (38 streets including boundary roads) as opposed to the responses from 441 streets outside the QN

The analysis is therefore distorted and cannot be considered a robust evidential basis for decision making.

Officer response

Analysis of repeat responses showed that there was little variation in responses provided by the same person over time. All grounds for objections received during the statutory consultation period have been considered.

People living on the boundary road have been considered as those 'within the QN area', an approach which the Council considers to be appropriate and consistent with other projects.

Officers consider the approach taken has enabled a thorough analysis of the consultation and sets out in detail the issues raised for consideration by decision makers.

Reason for call-in

Misleading statements about car ownership and systematic bias in reporting

- Point 105 of the report to the decision maker categorically states that car owners are overrepresented in the consultation survey. However, this claim is

not grounded in evidence and is unsubstantiated. The claim is based on a misunderstanding of the difference between Census data (household data) and the consultation response data (from individual); these things are completely different. The officers claim about car ownership (point 105) is not supported by the ITP report which specifically advises caution and states that the car ownership data is not directly comparable to respondent data (see point 2.7 and 3.6 of the ITP report). This warning has been ignored in the report to the decision maker. I also explained this issue to officers in writing before the report was published.

- At point 106, the officer report claims that “*The responses to the survey are therefore influenced by the higher proportion of car owners who participated in the survey. This should be considered in the context of a project where a key aim is to reduce the dominance of the private car.*” However, as stated above this claim is not evidenced based and goes against the advice of the consultation company and is factually wrong and highly misleading. I am concerned that the intention is of including this statement in the report could be to over-emphasise the non-car owner data in the mind of the decision maker, in order to help lead the decision maker to making a particular decision i.e., to approve making the scheme permanent. This would be a purposeful misuse of statistical evidence and officers need to explain why they have included this in the report.
- The report (incorrectly) draws attention to claimed sample bias in terms of car ownership but has not drawn the decision maker’s attention to actual evidence-based sample bias for a number of protected characteristics. For example, those with a disability are underrepresented in the survey compared to the Census and clearly view the scheme negatively, both within and outside the QN. Likewise, no attention has been drawn in the officer report to the disproportionate number of responses from White residents (who are more likely to say the scheme has had a positive impact), compared to Asian residents (who strongly feel the scheme has had a negative impact). It appears that there is a level of conscious or unconscious bias in the reporting, where sample bias is referred to where it is likely to increase the chance of the scheme being made permanent but ignored where it does not lead to this outcome
- It would be helpful if the responses for the number of cars owned by those within and outside the LTN had been presented.

The recommendation made is therefore unsound.

Officer response

Paragraph 105 states: “*Note the census data only collects car ownership data at the household level, and the respondents’ car ownership data was collected at the individual level.*”

The Consultation Analysis at Appendix 8 of the report shows the response rate broken down by characteristics, including car ownership (at section 3.5). This information was available for the decision maker.

Reason for call-in

Serious issues with the Equality Impact Assessment (EqIA).

The EqIA fails to deal with the consultation data properly and a number of important statistically significant differences in the data have not been addressed.

There are a number statistically significant differences which confirm that some groups with protected characteristics will be disproportionately harmed or disadvantaged by the scheme, however the issues have neither been adequately investigated or mitigated.

Ethnicity: The perceived negative impact on Asian respondents is statistically significantly higher than average and White respondents, both at an overall level and within the scheme itself. However, the EqIA does not even report this as an issue, so consequently no attempt has been made to understand the problems experienced properly in order to mitigate them.

Gender: There is a statistically significance difference in perception of the scheme by gender, with more female respondents within the scheme saying the scheme had a negative impact compared to males. The reasons for this this have not been properly addressed in the EqIA and the mitigation measures proposed are unsatisfactory and unconnected to the issues experienced.

Economic status and Income: The income data in the EqIA is out of date and significantly under-represents the proportion of low-income families and especially the proportion now claiming universal credit. Therefore the issues experienced by economically disadvantaged groups should have been given far more weight.

The consultation responses from low-income groups shows that they are statistically significantly more likely to feel that the scheme has had a negative effect on them, with a notably high proportion saying the impact has been 'very negative'. However, the EqIA has not examined the evidence to establish the reasons for this but has instead speculated about what the reasons might be, so we have no idea whether these assumptions are correct. The mitigation measures proposed are therefore meaningless without an evidenced-based understanding of the issues.

Some groups with protected characteristics are disproportionately harmed or disadvantaged by the scheme, however the issues have neither been adequately investigated or mitigated.

Officer response

Officers are satisfied that s149 Equality Act 2010 has been complied with. Please refer to paragraphs 114 – 141 and 144 of the report.

The Equality Impact Assessment has been compiled in order to identify differential impact on protected groups. It has been compiled over the life of the experimental scheme and has used data from several sources to identify relevant differential impact.

For each characteristic it is important to note that all responses for that group were reviewed individually to ensure any relevant comments had been captured. There were enough responses in many cases to inform the EQIA.

In respect of Ethnicity, a significant number of respondents who identified as Asian in the survey provided insight into the perception noted above. Where respondents were asked for any information which could inform the EQIA many provided points that were relevant to being disabled or being a carer and those comments were described accordingly in that characteristic. This was commented on in para 135 of the approval report.

In respect of sex, it is important to reiterate that the biggest differentiator was whether the respondent lived inside or outside the LTN. In addition, 91% of females reported owning a car and in 48% of those respondents had more than one car in the household.

The EQIA describes several differential impacts believed to be relevant to sex all of which are potentially contributory to the difference between male and female response distributions.

The EQIA has changed over the passage of time to include new information and issues raised by the ongoing monitoring and evaluation processes. A significant amount of detail is articulated including recommendations for the implementation of an exemption solution to mitigate the impact on disabled people. This mitigation is discussed in the main body of the report at para 6 and 141.

Reason for call-in

Issues with Traffic Monitoring data.

- **Streets missing:** The impact on a number of streets surrounding the scheme was not properly measured or in some cases measured at all (e.g. Crown Lane, Wynchgate, Queen Elizabeth's Drive, Tudor Way, Dawlish Avenue, Hoppers Road, Arnos Grove, Forestdale). The impact of the scheme on these streets is therefore unknown and no mitigation measures are set out in the report (including no attempt to understand the impact). Residents in these streets appear to have been forgotten. As a ward councillor I have received a large number of complaints about the scheme from residents living in these streets.
- **2019 comparisons:** Since 2019 there has been a reduction in traffic and an increase in cycling across London as a result of the pandemic. This means that a

fall in traffic and an increase in cycling would have been recorded in the QN and across the area, even if the LTN had not been implemented. Further analysis of the data is required to understand the impact of the LTN, and the investment in it made by Enfield Council, as opposed to general trends and changes, which are unconnected to the introduction of the LTN. But this work hasn't been undertaken.

- **No Saturday analysis:** Bus data show issues on Saturday peak, yet Saturday is not included in the main analysis for traffic. This analysis should have been included and formed part of the decision-making as Southgate is a District town centre, which means we need to understand and factor in the impact on the scheme on the main trading days for the retailers, cafes, restaurants and other businesses in the high street. This work has not been undertaken.
- **Pedestrian surveys:** No pedestrian data was collected before 2021, this means that the pedestrian data collected in July 2021 and included in the report is not contextualised and therefore meaningless. This is a massive failing for a scheme designed to promote walking.

Issues with Bus data

- Includes petrol crisis data - how can it impact car data but not bus data?
- Inconclusive due to changes in travel patterns since the pandemic i.e., less passengers getting on and off means faster journey times.
- Bus data shows issues on Saturday peak – but Saturday is not even included in the main analysis - despite this being a town centre location.

Officer response

Data is presented for many of these streets.

The locations of the traffic counters were kept consistent with those used in surveys from previous years, so that the data could be compared. Throughout the process, Officers have considered where additional locations for traffic data collection might be appropriate, a reflection on the experimental nature of the scheme. Likewise, Ward Councillors were shown the locations for the traffic counters prior to the September 2021 data collection and were offered an opportunity to suggest any additional locations.

The report acknowledges the trial has been carried out within the context of the pandemic. Paragraph 40 of the report states:

“The reported changes in the network should not be considered as only influenced by the Fox Lane QN. This project has been implemented during the pandemic which has created changes in travel patterns. It is not known what longer-term impacts the pandemic will have. The analysis in Appendix 1 includes a ‘sensitivity test’ which provides an estimate of the potential impact of the scheme if the pandemic had not happened.”

Paragraph 60 of the report states:

“In addition to seasonal variation, there may be other factors that could influence the surveyed increase in cycle volumes. TfL has reported that cycling has generally increased across London as a result of the pandemic. There have also been a number of cycle schemes implemented across Enfield that may have also contributed to an increase in cycle activity since 2019.”

A review of the pre-scheme traffic flow data was undertaken which shows the weekday peak hours had higher traffic volumes than the Saturday peak hours on the boundary roads and the busiest roads within the QN, so they were not included within the analysis, with the busiest hours of the week (weekday AM and PM) reported.

Paragraph 55 states:

“A post-project monitoring plan will be developed to continue to carry out pedestrian monitoring in this area, along with a number of other control sites.”

The bus journey time data were reviewed in light of the fuel crisis issue during the assessment of bus journey times. The review did not indicate any significant changes in journey times over and above variations in bus journey times for the other periods of September and October.

It is accepted that travel patterns have changed as a result of the pandemic and this is likely to continue to some extent going forward. People’s travel patterns are likely to be different in the future, compared to pre-COVID conditions, particularly in the peak hours with, for example, more people working from home.

As stated within the report, bus patronage has reduced during lockdown which may have an impact on bus journey times, therefore where there are reductions in bus journey times reported, it may not be fully attributed to the implementation of the Fox Lane Quieter Neighbourhood scheme. It is not possible to determine the full impact of reduced patronage on bus journey times without extensive modelling of the area.

As stated in paragraph 53 of the Portfolio Report:

“The Council will continue to work with TfL to identify ways in which bus journey times can be improved across the Borough and continue to review bus journey times in the areas as part of the commitment to post-project monitoring.”

Reason for call-in

The report fails to provide evidence that shows how it will mitigate the key objectives of Council’s Corporate Plan

- Good homes in well-connected neighbourhoods: By blocking off roads and reducing access for people who are required to make essential medium to long distance car journeys, for health or work-related reasons, **the LTN disconnects rather than creates well-connected neighbourhoods, but no**

evidence that the proposed mitigation measures will address this issue is documented in the report.

- Sustain strong and healthy communities: By dispersing traffic and pollution onto adjacent and boundary roads is harmful to residents living and working there and **the LTN undermines the objective of sustaining strong and healthy communities, but no evidence that the proposed mitigation measures will address this issue is documented in the report.**
- Build our local economy to create a thriving place: No evidence has been provided to demonstrate how the LTN will not detrimentally impact hourly-paid workers, care workers, gardeners, carers, delivery drivers, or businesses, which are required to make multiple daily medium distant journeys (e.g. estate agents). **The LTN will work against the objective to build our local economy to create a thriving place, but no evidence that the proposed mitigation measures will address this issue is documented in the report.**

Officer response

The report takes a different view of how the project aligns with the Council's Corporate Plan, as set out in paragraphs 10, 11 and 12 of the report.

“10. Good homes in well-connected neighbourhoods. This project supports the Council's commitment to encourage people to walk and cycle, which improve connectivity of neighbourhoods.

11. Sustain strong and healthy communities. The project, and the underlying Enfield Healthy Streets Framework, seeks to create healthier streets. This approach puts people and their health at the heart of decision making. It is a long-term plan for improving the user experience of streets, enabling everyone to be more active and enjoy the subsequent health benefits.

12. Build our local economy to create a thriving place. Wider investment in the walking and cycling network forms part of the Council's strategy to support our high streets and town centres by providing safe and convenient access to local shops and services.”